

Message Text

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ACTION EB-08

INFO OCT-01 AF-10 ARA-06 EA-07 EUR-12 NEA-10 ISO-00

AID-05 CEQ-01 CIAE-00 ERDA-05 COME-00 DODE-00

EPA-01 INR-07 IO-13 L-03 NSF-01 NSC-05 NSAE-00

PM-04 OES-06 SS-15 SP-02 FEAE-00 INT-05 DOTE-00

FMC-01 CG-00 DLOS-09 NSCE-00 SSO-00 USIE-00

INRE-00 H-01 /138 W

-----151846Z 092726 /45

O 151431Z APR 77

FM AMCONSUL HAMBURG

TO SECSTATE WASHDC IMMEDIATE 4183

AMEMBASSY LONDON IMMEDIATE

INFO AMEMBASSY BUENOS AIRES

AMEMBASSY OTTAWA

AMEMBASSY CAIRO

AMEMBASSY PARIS

AMEMBASSY BONN

AMEMBASSY ATHENS

AMEMBASSY ROME

AMEMBASSY TOKYO

AMEMBASSY MONROVIA

AMEMBASSY OSLO

AMEMBASSY ISLAMABAD

AMEMBASSY MADRID

AMEMBASSY MOSCOW

AMEMBASSY BELGRADE

LIMITED OFFICIAL USE SECTION 1 OF 2 HAMBURG 0424

LONDON FOR ATTENTION USDEL TO MSC

EO 11652: N/A

TAGS: SENV IMCO

SUBJECT: ADMINISTRATIVE INITIATIVE ON MARINE OIL POLLUTION

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REF: (A) STATE 02056, (B) HAMBURG 407, (C) STATE 6671,
(D) STATE 83929 (NOTOL)

1. AT REQUEST OF AMEMBASSY BONN ECONOMIC/COMMERCIAL
OFFICER PRESENTED TEXTS CONTAINED IN REFTEL (A) TO AP-
PROPRIATE OFFICIAL AT THE SEA TRANSPORT DIVISION, FEDERAL
TRANSPORTATION MINISTRY ON APRIL 14.

2. AT THE SAME TIME ECONOMIC/COMMERCIAL OFFICER MET WITH DR. BREUER AND TEAM OF MARITIME EXPERTS FOR FOLLOWUP TO PRESENTATION OF ADMINISTRATION TALKING POINTS CONTAINED IN REFTEL (C). DURING HOUR-LONG SESSION, DR. BREUER AND HIS GROUP PRESENTED DETAILED OPINIONS WHICH, HE STRESSED, ARE THOSE OF THE SEA TRANSPORT DIVISION ONLY. FOLLOWING SUBPARAGRAPHS ARE KEYED TO THE TEXT OF THE PRESIDENT'S MARCH 17 MESSAGE TO CONGRESS:

(A) RATIFICATION OF 1973 CONVENTION: DR. BREUER AGREES WITH THE DESIRABILITY OF RATIFYING THIS CONVENTION BUT IS TROUBLED BY ANNEX II THEREOF, WHICH DEALS WITH DISCHARGING RESIDUE INTO THE OCEAN. HE BELIEVES NO ALTERNATIVE TECHNOLOGY IS PRESENTLY AVAILABLE AND HOPES A SOLUTION TO HIS CONCERNS ABOUT ANNEX II CAN BE FOUND, WHETHER BY FILING A RESERVATION OF THROUGH OTHER MEANS.

(B) REFORM OF SHIP CONSTRUCTION AND EQUIPMENT STANDARDS:

(1) AS A GENERAL COMMENT, DR. BREUER SAID THAT MOST ACCIDENTS OFF THE US COAST HAVE INVOLVED LIBERIAN TANKERS. HE FEELS THAT, WHILE NEW LIBERIAN SHIPS ARE WELL CONSTRUCTED AND IN GOOD CONDITION, THE OLDER LIBERIAN TANKERS ARE NOT. THE US, HAVING NO DEEPWATER PORTS ON THE EAST COAST, MUST GIVE ACCESS TO THESE OLDER AND SMALLER TANKERS. HE STATED THAT THE CREWS ON THESE OLDER TANKERS ARE ALSO SUB-STANDARD. THUS, DR. BREUER CONCLUDES THAT THE POLLUTION PROBLEM REPRESENTED BY THESE TANKERS IS UNIQUE TO THE UNITED STATES, LIMITED OFFICIAL USE

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SINCE OTHER COUNTRIES ARE SERVED BY NEWER TANKERS.

(2) AS A SECOND GENERAL COMMENT, DR. BREUER STRONGLY OBJECTS TO MAKING THESE NEW STANDARDS APPLICABLE TO FOREIGN (NON-US) SHIPS. DR. BREUER ARGUES THAT, IF ALL COUNTRIES ARE PERMITTED TO DRAW UP SPECIAL, MORE STRINGENT THAN NORMAL REGULATIONS, CHAOTIC CONDITIONS DRASTICALLY LIMITING THE FREE FLOW OF SHIPPING WILL RESULT.

(3) DOUBLE BOTTOMS: AS INDICATED IN REFTEL (B), DR. BREUER OPPOSES DOUBLE BOTTOMS. HIS EXPERTS SAID THIS SUBJECT HAD BEEN DISCUSSED WITH IMCO SEVERAL YEARS AGO AND IT HAD BEEN CONCLUDED THAT DOUBLE BOTTOMS WERE NOT DESIRABLE. THEY ARGUED THAT NONE OF THE OIL SPILLS IN RECENT YEARS COULD HAVE BEEN AVOIDED HAD THE SHIPS HAD DOUBLE BOTTOMS, SINCE MOST WERE CAUSED EITHER BY RUNNING AGROUND ON ROCKS WHICH WOULD HAVE PIERCED BOTH BOTTOMS OR FROM OTHER ACCIDENTS FOR WHICH DOUBLE BOTTOMS ARE IRRELEVANT. THEY ALSO SAY THAT DOUBLE BOTTOMS MAKE TWO POTENTIAL COMBUSIONS CHAMBERS INSTEAD OF

ONE. FINALLY, THEY ARGUED THAT THIS NEW DANGERS, COUPLED WITH
HIGHER COST AND DIMINISHED DISPLACEMENT FAR OUTWEIGH ANY
POSSIBLE ADVANTAGES TO DOUBLE BOTTOMS.

(4) SEGREGATED BALLAST: DR. BREUER AGREED THAT SEGREGATED
BALLAST IS A DESIRABLE REQUIREMENT, BUT FEELS IT SHOULD BE
IMPOSED ONLY ON NEW TANKERS. HE DOES NOT BELIEVE IT WILL BE
COMMERCIALY PROFITABLE FOR EXISTING TANKERS TO CONVERT, AT
LEAST UNTIL THE FIVE YEAR WAITING PERIOD IS NEARLY UP.

(5) INERT GAS SYSTEMS: THIS IS ALSO ACCEPTABLE, BUT
AGAIN WITH THE RESERVATION THAT IT BE APPLICABLE ONLY TO NEW
TANKERS. DR. BREUER'S EXPERT VOICED DOUBT THAT AN INERT GAS
SYSTEM COULD BE MAINTAINED FOR MORE THAN 5 TO 10 YEARS,
AND THOUGHT AN INOPERATIVE SYSTEM WOULD BE WORSE THAN NONE AT
ALL.

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(6) RADAR AND STEERING STANDARDS: IN PRINCIPLE,
THERE IS NO DISAGREEMENT WITH THE DESIRABILITY OF THESE.

(7) DR. BREUER AGREES COMPLETELY THAT A STRONG
ENFORCEMENT PROGRAM IS ESSENTIAL. HE ALSO AGREES THAT
INSPECTION AND CERTIFICATION SYSTEMS NEED TO BE IMPROVED AND
ENDORSES A SPECIAL CONVENTION ON THIS SUBJECT LATER IN 1977.

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INRE-00 H-01 /138 W

-----151847Z 094276 /45

O 151527Z APR 77

FM AMCONSUL HAMBURG

TO SECSTATE WASHDC IMMEDIATE 4184

AMEMBASSY LONDON IMMEDIATE
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY OTTAWA
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LONDON FOR ATTENTION USDEL TO MSC

(C) CREW STANDARDS AND TRAINING: DR. BREUER THINKS THAT SUB-STANDARD CREWS ARE IN FACT THE CRUX OF MARINE OIL POLLUTION PROBLEM. THEREFORE, THEY AGREE WITH ANY STEPS WHICH THE US MAY WISH TO TAKE WITH RESPECT TO STANDARDS OF TRAINING FOR US
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CREWS. HE ALSO SUPPORTS US PROPOSALS TO ACCELERATE THE INTERNATIONAL CONFERENCE TO BE HELD IN 1978 ON THIS SUBJECT. HOWEVER, HE DOES NOT AGREE THAT STANDARDS SHOULD BE IMPOSED UNILATERALLY BY THE US IF THE RESULTS OF THE CONFERENCE DO NOT MEET US DEMANDS. DR. BREUER WAS PLEASED TO NOTE IN THIS LATTER REGARD THAT THE PRESIDENT'S MESSAGE INDICATES ANY US ACTION WOULD BE APPLICABLE ONLY TO SHIPS CALLING AT US PORTS, RATHER THAN TO SHIPS TRANSITTING US WATERS.

(D) TANKER BOARDING PROGRAM: DR. BREUER HAS NO PROBLEM WITH THIS, FEELING IT IS PURELY A NATIONAL MATTER.

(E) OIL POLLUTION LIABILITY: DR. BREUER SAID HE UNDERSTANDS THAT THE US FINDS THE AMOUNTS OF LIABILITY PROVIDED FOR IN THE CONVENTIONS OF 1969 AND 1971 ARE INADEQUATE. NONETHELESS, HE AGAIN ARGUED THAT THIS IS NOT A SUBJECT WHICH SHOULD BE HANDLED UNILATERALLY. HE ALSO NOTED THAT, IF DONE UNILATERALLY, INSURANCE AND HENCE TRANSPORTATION COSTS WOULD GO UP FOR SHIPS CALLING ON AMERICAN PORTS.

(F) ABILITY TO RESPOND: DR. BREUER GAVE HIS FULL APPROVAL TO THIS PROVISION BUT DOUBTS THAT THE TECHNOLOGY NECESSARY TO MEET THE GOAL IS OR WILL BE AVAILABLE IN THE FORESEEABLE

FUTURE.

3. COMMENT: AS WILL BE SEEN FROM ABOVE, DR. BREUER RETURNED REPEATEDLY TO HIS ARGUMENT THAT UNILATERAL US ACTION ON MARINE OIL POLLUTION WILL CREATE CHAOTIC CONDITIONS IN WORLD SHIPPING. WE BELIEVE THE FRG WILL STRESS THIS POINT IN INTERNATIONAL MEETINGS.

4. REFTEL (D) ASKED WHETHER CONSULATE COULD PROVIDE AN OBSERVER AT ENFORCEMENT MEETING ON 1968 NORTH SEA AGREEMENT TO BE HELD IN HAMBURG APRIL 20 AND 21. REYNDERS CANNOT BE AVAILABLE ON THOSE DATES BUT WE WILL PROVIDE AN OBSERVER. KISELYAK
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Message Attributes

Automatic Decaptioning: X
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